THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No:16076 of 2007

DATED:30-07-2007

BETWEEN:

M.Sudheer.

..... PETITIONER

AND

The Government of Andhra Pradesh,
Rep., by its Commissioner of Prohibition & Excise,
Nampally,
Hyderabad & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Prohibition & Excise appearing for the respondents.

2. Petitioner seeks a writ of mandamus to set aside the impugned proceedings Rc.No.1129/2005/A3(B2), dated 20-09-2006, on the file of the 2nd respondent by declaring the same, as illegal, arbitrary, and violative of the principles of natural justice.

3. Admittedly, petitioner is not the owner of the vehicle in question which has been ordered to be confiscated vide impugned proceedings, dated 20-09-2006, in Rc.1129/2005/A3(B2) by the 2nd respondent-Deputy Commissioner of Prohibition & Excise, Nellore. According to the original registration certificate of the said vehicle one M.Kotaiah is the owner of the said vehicle bearing No.A.P.24-U-559. However, there is an effective alternative remedy available to the owner of the said vehicle by way of an appeal to the Commissioner. Therefore, I am not inclined to entertain this Writ Petition filed against the said order at the instance of the petitioner as the petitioner is not the owner of the said vehicle.

4. Accordingly, Writ Petition is dismissed. There shall be no

order as to costs.

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V.ESWARAIAH,J

30th July, 2007.
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